

APPROVED: Meeting No. 34-90

ATTEST: *Sharon A. Gran*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 33-90

August 6, 1990

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland, on August 6, 1990, at 7:30 p.m.

PRESENT

Mayor Douglas M. Duncan

Councilmember James F. Coyle

Councilmember Viola D. Hovsepian

Councilmember James T. Marrinan

ABSENT

Councilmember David Robbins (Travel Leave)

In attendance: City Manager Bruce Romer, City Clerk Sharon Gran and City Attorney Paul Glasgow.

Re: City Manager's Report

1. Tomorrow night, August 7, is "National Night Out." There has been a tremendous response from City neighborhoods, and the Police Department will be visiting each site with McGruff, the crime prevention dog.

2. With respect to the draft response to TAP (Transportation Action Partnership) regarding a proposal to establish a Transportation Management District, staff would like to finalize the response to TAP some time in August and would appreciate any comments the Mayor and Council may have.

Mayor Duncan requested that he and the Council be provided with some background information regarding this proposal.

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3. One of the staff members, Cheryl Lampkin, Assistant to the City Manager, has been appointed to the International City Management Association's Committee on Academic Affairs.

4. Next Monday evening, August 13, at 7:00 p.m., there will be a dedication ceremony of the new Lincoln Park substation at 313 Frederick Avenue. Invitations have been issued by the Mayor and Council to County Executive Kramer and Col. Brooks to join in the dedication.

Councilmember Coyle inquired as to who else has been invited to the dedication ceremony. The City Manager responded that invitations would be circulated in the Lincoln Park neighborhood and would also be handed out by the Mayor and Council and staff during the National Night Out activities.

5. Regarding the award of bid for the construction of the extension of Ritchie Parkway, the awardee and amount were not included in the agenda as the bidding process was not completed in time. Staff recommends awarding the contract to the low bidder, Shirley Contracting Corporation, in the amount of \$8,741,491.

6. The final printing of the FY1991 adopted operating budget and capital improvements program is now available and copies have been distributed to the Mayor and Council. The City Manager's office will be happy to provide copies to any interested parties.

7. With respect to the City resuming operation of the Middle Lane parking facility, a public information process has been initiated and flyers proposed to be distributed to parking patrons have been prepared for Mayor and Council review.

Mayor Duncan asked that a letter be sent to civic associations requesting their comments regarding the operation of the parking lot and that such comments be received prior to any policies being adopted.

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Re: Recognition of teens who
participated in the Hands-On
Mural Creation at the Rockville
Senior Center

Patricia Dubroof, Rockville's artist in residence, explained the design of the 60' by 10' mural, "The Picnic." The Mayor and Council presented certificates to the following teens who designed, fabricated and executed the mural at the Senior Center this summer: Bianca Banan, Alan Belzer and Erin Moran. Also participating in the project were Mandy Hughes and Scott Levine who were unable to be present at the meeting.

Re: Presentation of
Certificates of
Appreciation

The Mayor and Council expressed their appreciation to Perry Conticchio, owner of the Twinbrook Bicycle Shop, and to the Giant Bicycle Company for their generous donation of two Giant Mountain Bicycles to the City's Police Department in connection with the recently implemented bicycle patrol. The members of the bicycle patrol were also introduced.

Re: Proclamation declaring August
7, 1990, as "National Night
Out," America's Night Out
Against Crime.

Proclamation No. 23-90

By a unanimous vote of the Mayor and Council, August 7, 1990, was declared "National Night Out" in Rockville. Councilmember Coyle read the Proclamation, the full text of which can be found in Proclamation File No. 5 of the Mayor and Council. Anne Hedian, President of the Rockville Watch Steering Committee, accepted the Proclamation. She noted that participation in this annual night out against crime continues to grow with a variety of activities planned in neighborhoods such as block parties and races.

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Re: Citizens' Forum

At this time, the Mayor opened the meeting to hear from any citizen who wished to address the Mayor and Council.

1. Delegates Michael Gordon and Jennie Forehand presented Glenn Looper of Looper's Servicenter with the pen used by Governor Schaefer to sign into law Chapter 345 of the Laws of Maryland which provides for tax incentives to those businesses who find methods for recycling used oil. Mr. Looper had initiated such legislation through Delegates Gordon and Forehand.

Rick Kuckkahn, Assistant City Manager, was presented with the pen used by Governor Schaefer to sign into law Chapters 311 and 324 of the Laws of Maryland, protecting historic districts and entitling municipalities to keep the proceeds from abandoned vehicle auctions, respectively.

Delegate Forehand thanked the Mayor and Council for the reception hosted by the City of Rockville during the legislative session.

2. Robert Jacques, 629 Aster Boulevard, commented on several items. He expressed appreciation to City staff, in particular Bob Goodin, Director of Public Works, for the work completed at the end of Azalea Drive. Mr. Jacques also complimented the City for sponsoring the Shakespeare on Wheels production in Courthouse Square.

Regarding the closure of Courthouse Square to through traffic, Mr. Jacques inquired as to the current status. Mayor Duncan responded that the City's consultant is analyzing the impact such a closure would have on traffic in Town Center.

Finally, Mr. Jacques asked if there is a possibility that the City may use some of the space in the Rockville Mall for its offices or if it would consider selling such space to the County. Mayor Duncan noted that the City needs more space and is looking at expanding the current site of City Hall or moving to another location. However, the City does not own Rockville Mall.

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3. William Meyer, 804 Leverton Road, addressed Item A on the Consent Agenda, Award of Contract for the construction of Ritchie Parkway. He noted that the Water Resources Administration is holding a hearing on August 23, and inquired as to what impact their decisions would have on the contract for construction. Staff responded that if the WRA mandates changes in the design, there is enough flexibility built into the contract to support such changes.

Mr. Meyer also requested that the Mayor and Council instruct staff to no longer accept contributions in lieu of on-site storm water management for the Cabin John lake and that action be taken now to protect what remains of viable wetlands in the City. Mayor Duncan responded that the Mayor and Council will consider his request as they review the whole lake.

There being no other citizen wishing to be heard, the Mayor closed the Citizens' Forum portion of the meeting.

Re: Appointments

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, Robert Ekman was appointed to a one-year term as Chairperson of the Advisory Commission on Public Education.

Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, the following individuals were appointed to two-year terms on the Alternative Community Service Commission:

Andrea Bernardo (from Alternate to Member);

Cheryl Kagan (from Alternate to Member);

Jack Hirsch (Alternate); and

Elnora Jespersen (Alternate).

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Carole Cohen was reappointed to a five-year term on the Housing Authority Board of Commissioners.

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Re: Approval of Minutes

Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, the minutes of Meeting No. 31-90 (July 23, 1990) were approved, as written.

Upon motion of Councilmember Coyle, duly seconded, with Councilmember Marrinan abstaining, the minutes of Meeting No. 32-90 (July 30, 1990) were approved, as written.

Re: Consent Agenda

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, the following Consent Agenda items were approved:

- B. Mayor and Council authorization for the City Manager to execute a funding agreement between the City and D. F. Antonelli covering construction of a relocated drainage system included in the Ritchie Parkway construction Bid No. 118-90.

The approximate cost of this work is \$250,000 which will be totally reimbursed by D. F. Antonelli.

- E. Award of Bid No. 8-91 for the furnishing and installing of replacement roll-up doors to the low bidder, Overhead Door Company of Washington, D.C., in the amount of \$39,600.

This project includes replacement of roll-up doors at the Recreation Services Building, Monument Shelter, Potomac Woods Shelter, North Farms Shelter, and Motor Vehicle Maintenance. Funding in the amount of \$40,000 is budgeted in Parks' account for this purpose.

- F. Adoption of Resolution to authorize the City Manager to execute a cooperation agreement with Montgomery County under the Federal Community Development Block Grant Program for Fiscal Years 1991, 1992 and 1993.

The agreement provides the City with its CDBG funds.

Resolution No. 20-90

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, Resolution No. 20-90, the full text of which can be found in Resolution Book No. 9 of the Mayor and Council, was adopted to authorize the City Manager to execute a cooperation agreement with Montgomery County providing the City with CDBG funds for Fiscal Years 1991, 1992 and 1993.

- G. Adoption of Resolution to allow withdrawal from the Twinbrook Permit Parking District of the residences at 5933 and 5935 Le May Road.

The residents of the subject properties have requested that their homes be withdrawn from the Twinbrook Permit Parking District. City staff has no objection to this proposal as these properties are at the edge of the district and will not disturb the district's integrity.

Resolution No. 21-90

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, Resolution No. 21-90, the full text of which can be found in Resolution Book No. 9 of the Mayor and Council, was adopted to approve the withdrawal from the Twinbrook Permit Parking District of the residences at 5933 and 5935 Le May Road.

- H. Authorization for local government certification for Housing Authority Drug Elimination Program Application. The Housing Authority is applying for \$100,000 in assistance under this program.

Re: Award of Contract No. 118-90 for the construction of Ritchie Parkway, Seven Locks Road to Rockville Pike.

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This contract for construction of Ritchie Parkway includes pavement, median, sidewalks, storm drains, water transmission main, fire hydrants, valves and related work.

With respect to Consent Agenda Item A, Mayor Duncan requested clarification as to the comments made by Mr. Meyer regarding the Water Resources Administration hearing. Staff noted that they believe the City is in full compliance, that no major construction would affect the stream valley until some time in September and that a decision by WRA should not have an impact on the award of contract.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Contract No. 118-90 was awarded to Shirley Contracting Corp. in the amount of \$8,741,491.50.

Re: Award of Bid No. 9-91 to low bidder, Romano Concrete Construction Company of Silver Spring, in the amount of \$740,102.50 (within budget).

This bid includes these separate projects: concrete maintenance program; water and sewer street repairs; roadway spot improvements; concrete drive apron program; W. Ritchie Parkway sidewalk; Scott Drive sidewalk and Rt. 355 sidewalk.

Councilmember Marrinan commended staff for the low bid for this project (Consent Agenda Item C) and asked staff if it is possible to prioritize the schedule so that the W. Ritchie Parkway sidewalk is completed by the beginning of the school year. Staff responded that it was their intent to complete the project as quickly as possible. As to the authorization for the City Manager to extend the contract by an amount not to exceed 25% if the need arises, staff noted that they do not anticipate the need for it.

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The City Manager noted that such an arrangement obligates the contractor to the same unit price but does not imply authority to expend the additional 25%. Regarding construction of the sidewalk on Scott Drive, staff noted that this work would be coordinated with the Scott Drive bridge reconstruction.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Bid No. 9-91 was awarded to Romano Concrete Construction Company in the amount of \$740,102.50.

Re: Award of Bid No. 11-91 for street sweeping services to low bidder, Browning-Ferris Industries, Jessup, Maryland, in the amount of \$66,974.14 (within budget).

This is the second three-year contract for street sweeping since FY88 when the City stopped sweeping with its own equipment and crew.

As to Consent Agenda Item D, Mayor Duncan asked staff why this contract is only for 10.5 months and was advised that the contract runs the whole year but only 10.5 months of funding will be expended from the FY91 budget.

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, Bid No. 11-91 was awarded to Browning-Ferris Industries in the amount of \$66,974.14.

Re: Discussion and instructions to staff regarding the proposed purchase of the Park Terrace Apartments by the Housing Authority of the City of Rockville.

Sandra Crewe, Executive Director of the Rockville Housing Authority, presented an overview of the Housing Authority's application to the Department of Housing and Urban Development for \$2.5 million to purchase the Park Terrace Apartments. This complex includes 45 units, 18 of which are one-bedroom. The one-bedroom units would provide an

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opportunity for senior housing as well as housing for the disabled. The Housing Authority anticipates continuing their rent range policy for housing families with a distribution of one-third of the units for families earning under \$7,100, one-third to those earning between \$7,100 and \$12,000, and the final one-third to those earning more than \$12,000.

In response to Mayor Duncan, Ms. Crewe indicated that this project would be self-supporting. Insofar as displacement of current tenants is concerned, Mayor Duncan was advised that it is anticipated that current tenants would be allowed to stay on at market rates and the units would become available to low income families as they are vacated.

Also discussed was the impact on the project of the new accessibility standards. Ms. Crewe stated that ten percent of the acquisition costs can be used for rehabilitation and that a number of units could be brought into compliance. Concern was expressed regarding the Housing Authority undertaking such a large project in addition to increasing their Section 8 voucher allocation, and Ms. Crewe responded that administrative fees to offset the costs for the Section 8 program have allowed her to continue to employ an administrative staff person for this program.

In response to Councilmember Hovsepian's concern that Rockville meet the housing needs of its residents, Ms. Crewe noted that first preference is given to those families who live or work in Rockville.

Marge Collins of the Lynfield Civic Association indicated that she had no objection to the Housing Authority purchasing these apartments so long as they are well maintained.

Staff advised Councilmember Marrinan that the owners of the apartments have directed their sales efforts to public agencies and that an appraisal of the property would be required by HUD as part of the application process.

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Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Mayor Duncan was authorized to send a letter of support for the application to the Department of Housing and Urban Development.

Re: FYI/Correspondence

Regarding the Maryland Avenue sidewalk, Councilmember Hovsepian asked how the costs of this project would compare without the use of outside consultants. Staff responded that it is not significantly more expensive to hire consultants. Councilmember Hovsepian also voiced concern with the fact that there is no sidewalk on the other side of Maryland Avenue and felt that more review of the situation was warranted before postponing the project. Following discussion regarding the safety issue, it was agreed that this project would be moved back to FY92 and discussed in further detail along with the FY92 budget.

Councilmember Marrinan voiced concern regarding moving up Phase II of Super Service indicating that the use of biodegradable bags for grass clippings is more expensive. Mayor Duncan noted that this issue would be discussed in more detail at a September meeting, i.e, plastic versus paper bags, and the County is reconsidering its policy. The City Manager stated that the City is still picking up grass clippings in other containers.

Regarding a letter in the July 26 FYI from John Underhill, Mayor Duncan asked if staff had the name and address of the T-Ball umpire being complimented so that a copy of the letter could be sent to him. He also requested information regarding the County's Coordinating Committee on Hate/Violence on which Chief Treschuk will be participating.

With respect to the Bureau of Census activities, Mayor Duncan asked if staff is reviewing the map and if everyone in the City has been counted. The City Manager noted that a localized report would be prepared for the Mayor and Council.

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Re: New Business

Councilmember Coyle commended staff for moving forward on an economic development plan for the City and asked if a worksession would be held on this matter. The City Manager responded that this is a strategic outline and that staff welcomes any commentary the Mayor and Council may have on the methodology. It was also noted that this outline is being shared with the Chamber of Commerce and other interested individuals.

Following up on the August 2 memorandum regarding discharge into the Potomac River from the Water Plant, Councilmember Marrinan asked what other cost-effective methods are available to avoid a recurrence. The City Manager noted that preliminarily the decision is to eliminate all discharges into the Potomac River, but that staff will come back to the Mayor and Council for decisions in the form of a CIP item.

Councilmember Coyle referenced the issue of the proposed elimination of the exemption for state and local tax. Groups have organized through the National League of Cities and the U.S. Conference of Mayors, and he indicated the City should express its opposition to removal of exemptions. It was agreed that a letter would be sent to elected representatives.

Mayor Duncan noted that the Mayor and Council would be recessing for the remainder of August and that the next scheduled meeting is September 10.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 9:05 p.m., to convene again in General Session at 7:30 p.m. on September 10, 1990, or at the call of the Mayor.